



INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office Action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ This IDS is being submitted under 37 CFR § 1.97(i), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee.

**STATEMENT UNDER 37 CFR § 1.97(e):**


- ☒ Each item contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- ☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).
- ☒ The Commissioner is authorized to credit any overpayment and to charge any underpayment to Bingham McCutchen's Deposit Account No. 50-2518, referencing billing No. 264/027; 18721-7031, for any fees required by the filing of these papers.

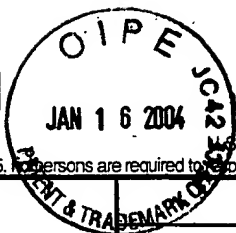
Respectfully submitted,

Dated: 3/3/03

By:   
Gerald Chan  
Reg. No. 51,541

BINGHAM McCUTCHEN LLP  
Three Embarcadero, Suite 1800  
San Francisco, CA 94111-4067  
Telephone: (650) 849-4904  
Telefax: (650) 849-4800

+	
---	--



Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Complete if Known**

Application Number	09/893,122
Filing Date	June 26, 2001
First Named Inventor	Hassan Mostafavi
Group Art Unit	2882
Examiner Name	Church, Craig E.
Attorney Docket Number	218721-7031 (264/027)

(use as many sheets as necessary)

Sheet	1	of	1
-------	---	----	---

[illegible][illegible]

Date Considered

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark



Patent  
264/027

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hassan Mostafavi

Serial No.: 09/893,122

Filed: 6/26/01

For: METHOD AND SYSTEM FOR  
PREDICTIVE PHYSIOLOGICAL GATING

Group Art Unit: 2492

Examiner: Unknown

RECEIVED

JAN 22 2004

TECHNOLOGY CENTER 2800

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

**INFORMATION DISCLOSURE STATEMENT FILING PROVISION:**

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

**CERTIFICATE OF MAILING**  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

January 14, 2002  
Date of Deposit

Cindy McMorrow

Name of Person Mailing Paper

*Cindy McMorrow*

Signature of Person Mailing Paper

- ☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.
- ☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.
- ☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.
- ☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.
- ☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.
- ☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

**STATEMENT UNDER 37 CFR § 1.97(e):**

- ☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- ☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).  
☐ Please charge \_\_\_\_\_ to Deposit Account No. **12-2475** for the above fee(s).

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Lyon & Lyon's Deposit Account No. **12-2475**.

Dated: \_\_\_\_\_

1/14/02

Respectfully submitted,  
LYON & LYON LLP

By: \_\_\_\_\_

Peter C. Mei  
Reg. No. 39,768



**22249**

LYON & LYON LLP  
633 W. Fifth Street, Suite 4700  
Los Angeles, CA 90071  
(408) 993-1555

264/027

09/893,122

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT

## APPLICANT:

Hassan Mostafavi

## FILING DATE:

6/26/01

## GROUP:

2492

(Use several sheets if necessary)

JAN 10 2004

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
AA						
AB						
AC						
AD						
AE						
AF						
AG						
AH						

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
AI						
AJ						
AK						

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

AL	Jolesz, Ferenc M.D., et al.; "Image-Guided Procedures And The Operating Room Of The Future"; <i>Radiology</i> ; SPL Technical Report #48; May 1997; 204:601-612.
AM	
AN	
AO	
AP	

RECEIVED  
JAN 22 2004  
TECHNOLOGY CENTER 2800

## EXAMINER:

Unknown

## DATE CONSIDERED:

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant



Please acknowledge receipt of the following by affixing hereon the Patent and Trademark Office date stamp and returning this card to our office.

Applicant: Hassan Mostafavi  
Serial No.: 09/893,122  
For: METHOD AND SYSTEM FOR PREDICTIVE PHYSIOLOGICAL  
GATING  
Filed: 6/26/01

**SUPPLEMENTAL IDS AND PTO 1449**

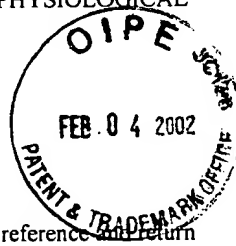
Attorney(s): Peter C. Mei  
Docket No.: 264/027 - Varian Medical Systems, Inc.  
Date of Deposit: January 14, 2002  
Enclosure(s): (3pgs) Supplemental IDS; (1pg) PTO 1449 with reference and return receipt postcard.

Please acknowledge receipt of the following by affixing hereon the Patent and Trademark Office date stamp and returning this card to our office.

Applicant: Hassan Mostafavi  
Serial No.: 09/893,122  
For: METHOD AND SYSTEM FOR PREDICTIVE PHYSIOLOGICAL  
GATING  
Filed: 6/26/01

**SUPPLEMENTAL IDS AND PTO 1449**

Attorney(s): Peter C. Mei  
Docket No.: 264/027 - Varian Medical Systems, Inc.  
Date of Deposit: January 14, 2002  
Enclosure(s): (3pgs) Supplemental IDS; (1pg) PTO 1449 with reference and return receipt postcard.



RECEIVED  
JAN 22 2004  
TECHNOLOGY CENTER 2800

RECEIVED

JAN 22 2004

TECHNOLOGY CENTER 2800

52103996.1/2018721-21

First Class Mail  
Date Mailed  
Applicant(s):  
Title:  
Serial No.:  
Commissioner  
Washington, DC  
SIR: Please place  
receipt of the fo  
1. Supplement  
2. Form PTO  
3. Cited Ref  
4. Return R

First Class Mail

Date Mailed

March 3, 2003

Due Date:

\*\*

Atty. Docket

264/027; 18721-7031  
(PCM:ct)

Applicant(s):

Hassan Mostafavi

Title:

METHOD AND SYSTEM FOR PREDICTIVE PHYSIOLOGICAL  
GATING

Serial No.:

09/893,122

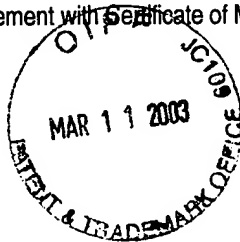
Filing Date:

June 26, 2001

Commissioner for Patents  
Washington, DC 20231

SIR: Please place the U.S. Patent and Trademark Office date stamp hereon to acknowledge receipt of the following:

1. Supplemental Information Disclosure Statement with Certificate of Mailing (3 pages)
2. Form PTO/SB/08A (1 page)
3. Cited References (2)
4. Return Receipt Postcard



52103996.1/2018721-2187217031

ge